

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
ROY ET AL.

Serial No. 10/777,731

Confirmation No. 5602

Filed: FEBRUARY 12, 2004

For: COMMUNICATIONS SYSTEM INCLUDING
PROTOCOL INTERFACE DEVICE
PROVIDING ENHANCED OPERATING
PROTOCOL SELECTION FEATURES AND
RELATED METHODS

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)
)
) Examiner: M. KEEFER

)
) Art Unit: 2154

)
) Attorney Docket No.
) ID-495 (80227)

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TeamOn Systems, Inc., having a mailing address of 1180 NW Maple Street, Suite 201, Issaquah, Washington, 98027, verifies through its duly authorized representative that it is the owner of all right, title and interest in United States Patent Application Serial No. 10/777,731 (hereinafter "the '731 Patent Application") and has remained owner of all right, title and interest from the time of filing the original Assignment to the present. The Assignment was recorded on February 12, 2004, at Reel 14987, Frame 531.

Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the '731 Patent Application which would extend beyond the expiration date of the full statutory term of any patent granted

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on co-pending Patent Application Serial No. 10/777,959 ('959) filed on February 24, 2005, as such term is defined in 35 U.S.C. § 154 and § 173, and as the term of any patent granted on said '959 application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending '959 application. Assignee hereby agrees that any patent so granted on the '731 application shall be enforceable only for and during such period that it and any patent granted on the '959 application are commonly owned. This agreement runs with any patent granted on the '731 application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the '731 application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 and § 173 of any patent granted on said '959 application, as the term of any patent granted on said '959 application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending '959 application, in the event that any such patent granted on the pending '959 application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

For submission on behalf of Assignee, the undersigned is the attorney of record.

In re Patent Application of:

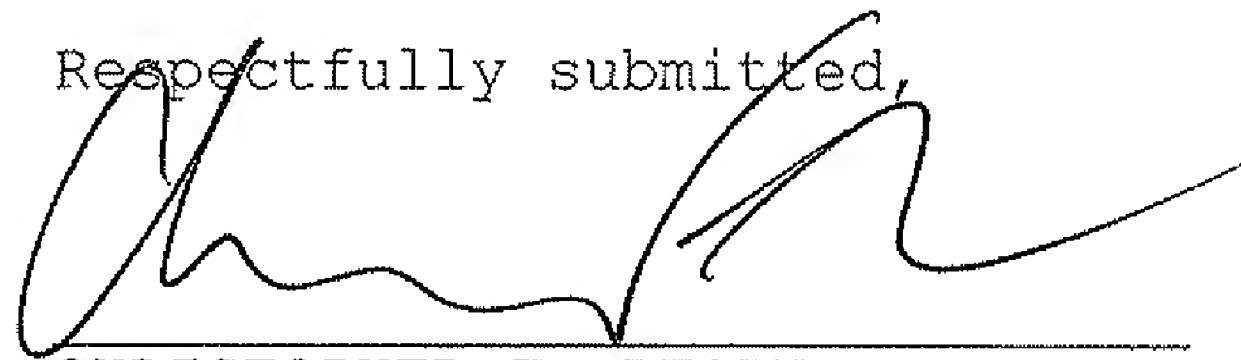
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The fee in the amount of \$130.00 is being paid by credit card on EFS-Web. The Commissioner is authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.

Respectfully submitted,



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